

The Honorable Thomas S. Zilly

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE**

STATE OF WASHINGTON,  
  
Plaintiff,

v.

U.S. DEPARTMENT OF HOMELAND  
SECURITY et al.,  
  
Defendants.

NO. 2:19-cv-02043-TSZ

JOINT STIPULATION TO  
DISMISS WITHOUT PREJUDICE

This action was filed on December 17, 2019. ECF No. 1. Plaintiff State of Washington challenged immigration enforcement actions taken at state, county, and local courthouses in Washington State by officials with the U.S. Department of Homeland Security. *Id.*

Several developments have occurred since this action was filed. The onset of the COVID-19 pandemic resulted in a lengthy closure of Washington courthouses except for emergency purposes. *See* ECF No. 135 (citing Washington Supreme Court’s order regarding court operations during COVID-19). Then, following a change in Presidential Administrations, Defendants sought and obtained a stay of this case to permit the current Administration “to evaluate whether any new immigration enforcement priorities may be issued that may impact this case.” ECF No. 142. The Court entered a stay on February 19, 2021, subject to the

condition that “[i]f any defendant or its employee or agent conducts a civil immigration arrest at or near a Washington state, county, or local courthouse, it shall notify plaintiff’s counsel via email or otherwise within seventy-two (72) hours after each such arrest.” ECF No. 147. The stay has now been in place for more than two years. During that time, counsel for Defendants has not been informed of any courthouse arrests at a Washington state, county, or local courthouse and has made no reports to Plaintiff’s counsel as required by this Court’s order.

In light of these developments, and pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii) and 41(a)(1)(B), the parties jointly stipulate and respectfully notify the Court that this action shall be dismissed without prejudice. Each party shall bear its own costs associated with this litigation.

DATED this 2nd day of March 2023.

Respectfully Submitted,

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United States Attorney

s/ Colleen Melody

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**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing document was electronically filed with the United States District Court using the CM/ECF system. I further certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the CM/ECF system.

DATED this 2nd day of March 2023.

s/Anna Alfonso  
ANNA ALFONSO  
Legal Assistant